

**MINUTES OF CITY COUNCIL MEETING
ARTESIA, NEW MEXICO
May 27, 2014**

The City Council of the City of Artesia, New Mexico met in the City Council Chambers at City Hall on Tuesday, May 27, 2014 at 7:00 p.m. in regular session with Mayor Phillip Burch presiding, and the following present to wit:

Jose Luis Aguilar	Raul Rodriguez
Manuel Madrid Jr.	Bill Rogers
Jeff Youtsey	Nora Sanchez

The following were absent:

Terry Hill
Kent Bratcher

Also present:

Aubrey Hobson, City Clerk-Treasurer
John Caraway, City Attorney

It was determined that a quorum was present. The invocation was given by Councilor Rodriguez, and all joined in the Pledge of Allegiance.

New Requests for City Facilities

Roberto Aguilar has requested the use of Martin Luther King Recreation Complex on Saturday, June 7, 2014 from 5:30 pm – 7:30 pm for a Community Outreach. *Contingent upon proof of insurance.* Councilor Rodriguez moved to approve this request, contingent upon receipt of proof of insurance. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

City Departments and Employees

Chief Hummingbird introduced the following new employees at the Fire Department: Armando Lucero, Andrew Sena, Jesse Ochoa, Marc Edens and Juan Moreno.

Chief Hummingbird recognized James Abner for attaining the title of “Chief Fire Officer” (CFO) by the Center for Public Safety Excellence. Fire Marshall Abner is 1 of only 2 CFO’s within the State of New Mexico.

Members of the fire department recognized Chief Hummingbird for his 8 years of service and leadership to the department. Chief Hummingbird also received a plaque from Tri-State Care Flight Air Ambulance as a thank you for helping bring Tri-State to Artesia.

Consent Agenda

Councilor Rodriguez moved to approve the Consent Agenda as written. The motion was seconded by Councilor Bratcher and upon vote, the motion passed.

The Consent Agenda includes:

1. Approval of Minutes: * May 13, 2014 – Regular meeting

2. Consideration of Bids:
3. Contracts, Leases and Agreements:
 - A. *Approval of MOA with Elite Medical Transport of Luna County, NM
4. Appointments:
 - A. Approval of appointment of Patricia Heredia to the Housing Authority Board (to fulfill term to expire August 2017)
5. Resignations:
 - A. Approve the resignation of Kendall Richardson, Police Corporal, effective May 30, 2014
6. Dates of Hearing:
 - A. Ratification of Mayor Burch's approval to set a public hearing for June 10, 2014 for consideration of an ordinance approving the sale of real property with a value of over \$25,000
 - B. Ratification of Mayor Burch's approval of advertising for a private sale of real property with a value of over \$25,000 for June 10, 2014
 - C. Ratification of Mayor Burch's approval to set a public hearing for June 10, 2014 for consideration of an ordinance for the Annexation plat of J and J Acres Subdivision in E/2NE1/4 of Section 11 and W/2NW1/4 Section 12, T17S, R25E New Mexico Principal Meridian, Eddy County, New Mexico
 - D. Ratification of Mayor Burch's approval to set a public hearing for June 10, 2014 for consideration of an ordinance for a replat for Davis Addition No.2, Block 8, Lots 12, 13, & 14, Sec13, T17S, R25E located on W. Missouri Ave.
 - E. Ratification of Mayor Burch's approval to set a public hearing for June 10, 2014 for consideration of an ordinance for a replat of Tract B of Ocotillo Place, a portion of Ocotillo Place and of Clayton & Stegman Addition, Section 17, T17S, R26E
 - F. Ratification of Mayor Burch's approval to set a public hearing for June 10, 2014 for consideration of an ordinance for a replat of Tract of land located in the NW1/4NW1/4 of the City of Artesia, Sec.7, T17S, R26E.
 - G. Ratification of Mayor Burch's approval to set a public hearing for June 10, 2014 for consideration of an ordinance for an Annexation Plat for Artesia Country Club, NE/4 of Section 12, T17S, R26E, New Mexico Principal Meridian, Eddy County, New Mexico
 - H. Ratification of Mayor Burch's approval to set a public hearing for June 10, 2014 for consideration of an ordinance for a replat, Tyler Subdivision, Block 2, S1/2 Lot 10, and all of lots 11 and 12, Sec.17, T17S, R26E, located at northwest corner of S. and Bullock, commonly known as 818 S. Street
7. *Travel and Training:
 - A. Executive – Permission to attend the NMML Board of Directors meeting in Santa Fe, NM. Request actual expenses
 - B. Wastewater – Permission for one (1) employee to attend the AWWA Annual conference in Boston, MA. Request actual expenses
 - C. Legislative – Permission to attend the MOLI 2014 Advanced Program in Santa Fe, NM. Request actual expenses and mileage
 - D. Executive – Permission to attend the NLC Congress of Cities & Exposition in Austin, TX. Request actual expenses
 - E. Fire – Permission for one (1) employee to attend the Instructor III Practical testing in Kilgore, TX. Request actual expenses
 - F. Fire – Permission for one (1) employee to attend the Incident Command Systems Curriculum in Oklahoma City, OK. Request actual expenses
 - G. Fire – Permission for one (1) employee to attend the Fire-Rescue International training in Dallas, TX. Request actual expenses
 - H. F&A – Permission for one (1) employee to attend a Payroll Law 2014 training Carlsbad, NM. Registration is the only cost
 - I. Police – Ratification of Mayor Burch's approval for one (1) employee to attend the NM RND Training and Exercise Working Group Launch in Santa Fe, NM. Request actual expenses
 - J. Water – Permission for one (1) employee to attend the Water Infrastructure conference in Atlanta, GA. Request actual expenses
 - K. Fire – Permission for one (1) employee to attend Instructor I training in Las Cruces, NM. Request actual expenses

7. Use of Facilities (*approval contingent upon receipt of all applicable fees, license(s) and dept approvals*):

8. Routine Requests for City Facilities:

- A. *Artesia Chamber of Commerce and Garden State Firework Extravaganza have requested use of Jaycee Park from 8:00 am – 11:30 pm on Friday, July 4, 2014 for the Annual July Firework Celebration. Request approval of use of city services and road closures as stated on application and waiver of fees. *Contingent upon proof of security and insurance from the Chamber of Commerce and Garden State Fireworks*

10. Budgeted Items:

- A. *Approval of Lodger's Tax Request:
1) Bull Riding Challenge – June 27-29, 2014: \$850

11. Non-budgeted Items:

12. *Payment of Bills

Item 13 B was moved up for consideration to this point in the meeting on a motion by Councilor Youtsey and second by Councilor Rodriguez. The motion passed.

City Attorney John Caraway introduced Denise McWatters and Mike Holder representing Holly to discuss a letter of amendment to the Navajo Wastewater contract. This amendment was necessitated by the EPA's application of the selenium parameters and the effect on the City's parameters.

Councilor Rogers moved to approve the Letter Amendment to the Navajo Wastewater Contract. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

Personnel

Councilor Rodriguez moved to approve, upon recommendation of the Mayor, and subject to successful completion of required pre-employment testing, permission to promote Janeth Cox to the position of Wastewater Lab Tech, at a salary of \$2,608 per month (CA24). The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Public Safety

Fire

Chief Hummingbird requested to remove his request for approval of a resolution declaring extreme or severe drought conditions and restricting the sale and use of fireworks. The National Weather Service has downgraded drought conditions to moderate.

Councilor Aguilar moved to approve to ban the use of personal fireworks and grills (*excluding gas grills*) at Jaycee Park (including the parking lot area) on Friday, July 4, 2014. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

Community Development

Councilor Aguilar moved to approve Artesia MainStreet's request regarding the use of the roundabout at 2nd and Quay. The motion was seconded by Councilor Youtsey and upon vote, the motion passed.

Infrastructure

Rodriguez moved to approve the adoption of an Electric Power Line Easement Agreement with SPS. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Infrastructure Director Byron. Landfair reported on the status of projects.

City Clerk

Councilor Rogers moved to approve the 2014-2015 Preliminary Budget Adoption Resolution 1541. A motion was made to amend the original motion by adding \$2,000,000 for lighting for Eagle Draw-the amendment died for lack of a second. The original motion was seconded by Councilor Youtsey and upon vote, the motion passed.

RESOLUTION NO. 1541

Mayor

The Mayor read into the record a letter from the Chamber of Commerce showing their support for flight service from Roswell, NM to Phoenix, AZ by American Eagle.

Councilor Rodriguez moved that in accordance with 10-15-1-H(2) 7 (8), the Council and Mayor go into executive session regarding limited personnel matters (termination of a probationary Street Department employee, and termination of a probationary Wastewater employee), and discussion of a Community Development Director applicant. The motion was seconded by Councilor Rogers and upon roll call vote, with the following votes recorded:

Aye: Aguilar, Madrid, Rodriguez, Rogers, Sanchez, Youtsey

Nay: none

The motion passed.

Council recesses to executive session at 8:10 p.m.

Council reconvened at 8:31 p.m.

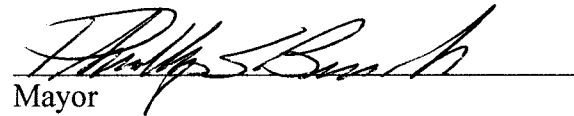
Councilor Rodriguez moved that the only matters discussed in executive session pertained to the limited personnel matters and discussion of a Community Development Director applicant, and no

action was taken. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

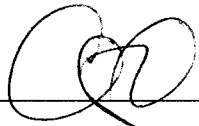
Councilor Youtsey moved to terminate probationary Street Department employee Martin Martinez, effective May 27, 2014. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

Councilor Youtsey moved to terminate probationary Wastewater Department employee Manuel Peinado, effective May 27, 2014. The motion was seconded by Councilor Rogers and upon vote, the motion passed.

There being no further business to come before the Council, the meeting adjourned at 8:38 p.m. May 27, 2014.


Mayor

ATTEST:


City Clerk